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## NOTICE OF ALLOWANCE AND FEE(S) DUE

89133 7590 04/03/2012  
Ridout & Maybee LLP  
225 King Street West  
10th Floor  
Toronto, ON M5V 3M2  
CANADA

EXAMINER

CHEN, QING

ART UNIT

PAPER NUMBER

2191

DATE MAILED: 04/03/2012

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/786,823

02/25/2004

Andrew D. Bocking

42783-1714

5088

TITLE OF INVENTION: METHOD AND SYSTEM FOR SELECTING A PROGRAM FOR DOWNLOAD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1740	\$300	\$0	\$2040	07/03/2012

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

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Ridout & Maybee LLP  
225 King Street West  
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Toronto, ON M5V 3M2  
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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/786,823	02/25/2004	Andrew D. Bocking	42783-1714	5088
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TITLE OF INVENTION: METHOD AND SYSTEM FOR SELECTING A PROGRAM FOR DOWNLOAD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1740	\$300	\$0	\$2040	07/03/2012

EXAMINER	ART UNIT	CLASS-SUBCLASS
CHEN, QING	2191	717-178000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_  
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_  
3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_  
Typed or printed name \_\_\_\_\_ Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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10/786,823	02/25/2004	Andrew D. Bocking	42783-1714	5088

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EXAMINER

CHEN, QING

ART UNIT PAPER NUMBER

2191

DATE MAILED: 04/03/2012

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1301 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1301 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

## Privacy Act Statement

**The Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/786,823	BOCKING ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	QING CHEN	2191	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on March 12, 2010.
2. ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
3. ☒ The allowed claim(s) is/are 1,2,4-6,8-12,14-19 and 21-23, renumbered as 1-19.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other ____.   |

### **DETAILED ACTION**

1. This Office action is in response to the amendment filed on March 12, 2010, entered by the RCE filed on the same date.
2. **Claims 1, 2, 4-6, 8-12, 14-19, and 21-23** are pending.
3. **Claims 1, 2, 4-6, 8, 10-12, 14-16, 19, 21, and 23** have been amended.
4. **Claims 3, 7, 13, and 20** have been canceled.
5. **Claims 1, 2, 4-6, 8-12, 14-19, and 21-23** are allowed, renumbered as 1-19.

### ***Continued Examination Under 37 CFR 1.114***

6. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 12, 2010 has been entered.

### ***Examiner's Amendment***

7. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this Examiner's amendment was given in a telephone interview with Kelly L. Miranda (Reg. No. 55,960) on March 20, 2012.

The application has been amended as follows:

AMENDMENTS TO THE CLAIMS

In the “Amendments to the Claims” (received on 03/12/2010), please amend Claims 1, 2, 4-6, 8, 10-12, 14-16, 19, 21, and 23 as follows:

1. (Currently Amended) A method of selecting a program for download from a host system to a target system, said method comprising:

- storing a plurality of programs at the host system;
- storing a plurality of identifiers at the host system, with each of at least one of said plurality of identifiers being stored in association with at least one of said plurality of programs;
- connecting the host system and the target system by a communication channel;
- sending a hardware identifier representing ~~said~~ the target system and a vendor identifier from the target system to the host system over the communication channel, ~~[[the]]~~ said vendor identifier identifying a wireless communication vendor supporting the target system;
- requesting said hardware identifier and said vendor identifier from the target system by the host system over the communication channel;
- receiving said hardware identifier and said vendor identifier at the host system;
- employing said plurality of identifiers and said received hardware identifier and said received vendor identifier to select one of said at least one of said plurality of programs for download from the host system to the target system;

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associating a wireless communication vendor with the target system;

~~employing said vendor identifier, which identifies said vendor;~~

storing a program associated with said received hardware identifier at the host system;

[[and]]

determining that said received hardware identifier and said received vendor identifier match one of said plurality of identifiers and responsively selecting one of said at least one of said plurality of programs;

downloading said selected one of said at least one of said plurality of programs over the communication channel from the host system to the target system; and

failing to find said received vendor identifier at the host system and downloading, responsive to said failing to find said received vendor identifier at the host system, said program associated with said received hardware identifier over the communication channel from the host system to the target system.

2. (Currently Amended) The method of Claim 1 further comprising:

employing [[as]] said plurality of programs as a plurality of application programs;

including an application loader at the host system;

requesting said hardware identifier and said vendor identifier from the target system by said application loader over the communication channel; and

receiving said hardware identifier and said vendor identifier at said application loader[[;]]



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~~determining that said received hardware identifier and said received vendor identifier match one of said plurality of identifiers and responsively selecting one of said plurality of application programs; and~~

~~downloading said selected one of said plurality of application programs over the communication channel from said application loader to the target system.~~

4. (Currently Amended) The method of Claim 1 further comprising:

storing said hardware identifier for the target system with said vendor identifier at the target system;

~~requesting said hardware identifier and said vendor identifier from the target system by the host system over the communication channel;~~

employing a plurality of vendor identifiers and associating one of said plurality of vendor identifiers and at least one hardware identifier with each of said plurality of programs at the host system;

determining that said received vendor identifier matches one of said plurality of vendor identifiers; and

determining that said received hardware identifier matches said at least one hardware identifier associated with said one of said plurality of vendor identifiers and responsively downloading said selected one of said at least one of said plurality of programs over the communication channel from the host system to the target system.

5. (Currently Amended) The method of Claim 1 further comprising:

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storing said hardware identifier for the target system with said vendor identifier at the target system;

storing a program associated with said received hardware identifier at the host system;

~~requesting said hardware identifier and said vendor identifier from the target system by the host system over the communication channel;~~

associating a vendor identifier and at least one hardware identifier with each of said plurality of programs at the host system;

determining that said received vendor identifier has a predetermined value; and

downloading said program associated with said received hardware identifier over the communication channel from the host system to the target system.

6. (Currently Amended) A method of selecting a program for download from a host system to a target system, said method comprising:

storing a plurality of programs at the host system;

storing a plurality of identifiers at the host system, with each of at least one of said plurality of identifiers being stored in association with at least one of said plurality of programs;

connecting the host system and the target system by a communication channel, ~~the vendor identifier identifying a wireless vendor supporting the target system;~~

sending a hardware identifier representing ~~said~~ the target system and a vendor identifier from the target system to the host system over the communication channel, said vendor identifier identifying a wireless communication vendor supporting the target system;

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requesting said hardware identifier and said vendor identifier from the target system by the host system over the communication channel;

receiving said hardware identifier and said vendor identifier at the host system;

employing said plurality of identifiers and said received hardware identifier and said received vendor identifier to select one of said at least one of said plurality of programs for download from the host system to the target system;

storing said plurality of identifiers in a file at the host system;

associating a wireless communication vendor with the target system;

~~employing said vendor identifier, which identifies said vendor;~~

storing a program associated with said received hardware identifier at the host system;

[[and]]

determining that said received hardware identifier and said received vendor identifier match one of said plurality of identifiers and responsively selecting one of said at least one of said plurality of programs;

downloading said selected one of said at least one of said plurality of programs over the communication channel from the host system to the target system; and

failing to find said file at the host system and downloading, responsive to said failing to find said file at the host system, said program associated with said received hardware identifier over the communication channel from the host system to the target system.

8. (Currently Amended) The method of Claim 1 further comprising:

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~~downloading said selected one of said at least one of said plurality of programs over the communication channel from the host system to the target system; and~~

loading and executing said downloaded and selected one of said at least one of said plurality of programs at the target system.

10. (Currently Amended) The method of Claim 1 further comprising:

~~determining that one of said plurality of identifiers matches said received hardware identifier and said received vendor identifier; and~~

determining that none of said plurality of programs corresponds to said one of said plurality of identifiers and responsively displaying an error message at the host system.

11. (Currently Amended) A system for selecting a program for download, said system comprising:

a host system including a memory storing a plurality of programs, said memory also storing a plurality of identifiers, with each of at least one of said plurality of identifiers being stored in association with at least one of said plurality of programs;

a target system including a hardware identifier representing ~~said the~~ the target system and a vendor identifier representing a wireless communication vendor associated with ~~said the~~ the target system, ~~[[the]]~~ said vendor identifier identifying a wireless communication vendor supporting the target system;

a communication channel connecting ~~said the~~ the host system and ~~said the~~ the target system; and

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a loader routine adapted to execute at ~~said the~~ the host system, communicate with ~~said the~~ the target system through the communication channel, request and receive said hardware identifier and said vendor identifier from ~~said the~~ the target system over the communication channel, and employ said plurality of identifiers and said received hardware identifier and said received vendor identifier to select one of said at least one of said plurality of programs for download from ~~said the~~ the host system to ~~said the~~ the target system,

~~wherein said vendor identifier identifies said vendor,~~

wherein a program associated with said received hardware identifier is stored at the host system, and

wherein said loader routine is further adapted, to determine that said received hardware identifier and said received vendor identifier match one of said plurality of identifiers and responsively select one of said at least one of said plurality of programs, to download said selected one of said at least one of said plurality of programs over the communication channel from the host system to the target system, and after failing to find said received vendor identifier at the host system, to download, responsive to said failing to find said received vendor identifier at the host system, said program associated with said received hardware identifier over the communication channel from the host system to the target system.

12. (Currently Amended) The system of Claim 11 wherein said plurality of programs are a plurality of application programs; and wherein said loader routine is an application loader routine adapted to request and receive said hardware identifier and said vendor identifier from ~~said the~~ the target system over the communication channel, ~~receive said hardware identifier and said~~

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~~vendor identifier, determine that said received hardware identifier and said received vendor identifier match one of said plurality of identifiers and responsively select one of said plurality of application programs, and download said selected one of said plurality of application programs over the communication channel to said target system.~~

14. (Currently Amended) The system of Claim 11 wherein said loader routine is further adapted to employ a plurality of vendor identifiers, ~~request said hardware identifier and said vendor identifier from said target system over the communication channel, receive said hardware identifier and said vendor identifier,~~ associate a vendor identifier and at least one hardware identifier with each of said plurality of programs, determine that said received vendor identifier matches one of said plurality of vendor identifiers, and determine that said received hardware identifier matches said at least one hardware identifier associated with said one of said plurality of vendor identifiers and responsively download said selected one of said at least one of said plurality of programs over the communication channel to ~~said~~ the target system.

15. (Currently Amended) The system of Claim 11 ~~wherein said vendor identifier is associated with a wireless communication vendor; and~~ wherein ~~said~~ the target system includes a first wired communication port adapted to communicate with ~~said~~ the communication channel[[,]] and a second wireless communication port adapted to communicate with said wireless communication vendor.

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16. (Currently Amended) The system of Claim 11 wherein ~~said~~ the target system is a mobile electronic device.

19. (Currently Amended) The system of Claim 11 wherein ~~said~~ the host system is selected from the group consisting of a workstation[[,]] and a personal computer.

21. (Currently Amended) The system of Claim 18 ~~wherein said vendor identifier is associated with a wireless communication vendor; and~~ wherein said wireless handheld electronic device includes a first wired communication port adapted to communicate with ~~said~~ the communication channel[[,]] and a second wireless communication port adapted to communicate with said wireless communication vendor.

23. (Currently Amended) The method of Claim 1 further comprising:  
employing a wireless handheld electronic device as ~~said~~ the target system;  
~~associating said vendor identifier with a wireless communication vendor;~~  
downloading said selected one of said at least one of said plurality of programs over the communication channel from the host system to the wireless handheld electronic device; and  
loading and executing said downloaded and selected one of said at least one of said plurality of programs at the wireless handheld electronic device to communicate with said wireless communication vendor.

-- END OF AMENDMENT --

***Reasons for Allowance***

8. The following is an Examiner's statement of reasons for allowance:

The cited prior art taken alone or in combination fail to teach, in combination with the other claimed limitations, "sending a hardware identifier representing the target system and a vendor identifier from the target system to the host system over the communication channel, said vendor identifier identifying a wireless communication vendor supporting the target system; storing a program associated with said received hardware identifier at the host system; determining that said received hardware identifier and said received vendor identifier match one of said plurality of identifiers and responsively selecting one of said at least one of said plurality of programs; downloading said selected one of said at least one of said plurality of programs over the communication channel from the host system to the target system; and failing to find said received vendor identifier at the host system and downloading, responsive to said failing to find said received vendor identifier at the host system, said program associated with said received hardware identifier over the communication channel from the host system to the target system" as recited in independent Claim 1; and further fail to teach, in combination with the other claimed limitations, similarly-worded limitations as recited in independent Claim 11; and further fail to teach, in combination with the other claimed limitations, "sending a hardware identifier representing the target system and a vendor identifier from the target system to the host system over the communication channel, said vendor identifier identifying a wireless communication vendor supporting the target system; storing a program associated with said received hardware identifier at the host system; determining that said received hardware



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identifier and said received vendor identifier match one of said plurality of identifiers and responsively selecting one of said at least one of said plurality of programs; downloading said selected one of said at least one of said plurality of programs over the communication channel from the host system to the target system; and failing to find said file at the host system and downloading, responsive to said failing to find said file at the host system, said program associated with said received hardware identifier over the communication channel from the host system to the target system” as recited in independent Claim 6.

The closest cited prior art, the combination of US 6,701,521 (hereinafter “McLlroy”), US 2002/0010652 (hereinafter “Deguchi”), and US 6,496,979 (hereinafter “Chen”), teaches a method and system for automatically selecting and installing an application onto a portable (*e.g.*, palmtop) computer system. However, the combination of McLlroy, Deguchi, and Chen fails to teach “sending a hardware identifier representing the target system and a vendor identifier from the target system to the host system over the communication channel, said vendor identifier identifying a wireless communication vendor supporting the target system; storing a program associated with said received hardware identifier at the host system; determining that said received hardware identifier and said received vendor identifier match one of said plurality of identifiers and responsively selecting one of said at least one of said plurality of programs; downloading said selected one of said at least one of said plurality of programs over the communication channel from the host system to the target system; and failing to find said received vendor identifier at the host system and downloading, responsive to said failing to find said received vendor identifier at the host system, said program associated with said received hardware identifier over the communication channel from the host system to the target system”

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as recited in independent Claim 1; and further fails to teach similarly-worded limitations as recited in independent Claim 11; and further fails to teach “sending a hardware identifier representing the target system and a vendor identifier from the target system to the host system over the communication channel, said vendor identifier identifying a wireless communication vendor supporting the target system; storing a program associated with said received hardware identifier at the host system; determining that said received hardware identifier and said received vendor identifier match one of said plurality of identifiers and responsively selecting one of said at least one of said plurality of programs; downloading said selected one of said at least one of said plurality of programs over the communication channel from the host system to the target system; and failing to find said file at the host system and downloading, responsive to said failing to find said file at the host system, said program associated with said received hardware identifier over the communication channel from the host system to the target system” as recited in independent Claim 6.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

### ***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Qing Chen whose telephone number is 571-270-1071. The Examiner can normally be reached on Monday through Friday from 9:30 AM to 5:30 PM.

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If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Wei Zhen, can be reached at 571-272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Q. C./

Examiner, Art Unit 2191

/WEI ZHEN/

Supervisory Patent Examiner, Art Unit 2191